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Dkt. 2271/67738-A

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Ryohsuke SUGIYAMA

Serial No.: 10/800,559

Group Art Unit: 2655

Date Filed: March 15, 2004

Examiner: Nabil Hindi

For: WRITE PULSE GENERATOR AND OPTICAL DISK UNIT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION SUBMITTING TERMINAL DISCLAIMER

Applicant submits herewith as Exhibit A attached hereto a Terminal Disclaimer over U.S.

Patent No. 6,735,159.

The Office is hereby authorized to charge the \$130.00 statutory disclaimer fee and any additional fees, or credit any overpayment, to our Deposit Account No. 03-3125.

Allowance of this application is respectfully requested.

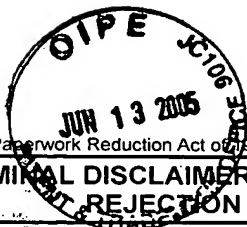
Respectfully submitted,

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I hereby certify that this correspondence is being transmitted by facsimile to the USPTO and is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Paul Teng
Reg. No. 40,837

June 9, 2005
Date

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

2271/67738-A

In re Application of: Ryohsuke SUGIYAMA

Application No.: 10/800,559

Filed: March 15, 2004

For: WRITE PULSE GENERATOR AND OPTICAL DISK UNIT

The owner*, RICOH COMPANY, LTD., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,735,159 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

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- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 29,691

Signature

June 9, 2005

Date

Peter J. Phillips

Typed or printed name

212-278-0400

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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